

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 1:22-CV-22853-BB

CHARLOTTE SMITH,

Plaintiff,

v.

CARNIVAL CORPORATION,

Defendant.

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**PLAINTIFF'S MOTION FOR LEAVE FOR HER COUNSEL TO APPEAR AT THE  
DECEMBER 12, 2023, CALENDAR CALL BY REMOTE MEANS**

Plaintiff, CHARLOTTE SMITH, by and through undersigned counsel, hereby files this Motion for Leave to Appear at the December 12, 2023, Calendar Call by remote means, and in support thereof, respectfully states as follows:

1. Pursuant to this Honorable Court's Trial Order [DE 68], calendar call is scheduled to take place on December 12, 2023, at 1:45 PM.
2. However, Plaintiff, Charlotte Smith, as well as lead counsel Spencer Aronfeld, Esq., undersigned counsel Matthias Hayashi, Esq., and Abby Ivey, Esq., respectfully request the Court's permission to attend the December 12, 2023, calendar call by telephone, Zoom, or by any other remote means the Court deems suitable.
3. Plaintiff, Charlotte Smith, resides in Richmond, Texas, but would like to attend the calendar call, if possible, but it is not feasible, logistically, financially, or health wise, for her to have to fly to Miami, fly back, then fly to Miami again for trial.
4. Lead counsel Spencer Aronfeld, Esq., is presently outside of the country and is not scheduled to return until after the calendar call, but also wishes to attend, if possible.

5. Counsel for Plaintiff, Abby Ivey, Esq., resides in Gainesville, FL, and works remotely from there, and it would also not be logistically feasible, especially considering that she has multiple small children who need her care, for her to drive down to Miami for the calendar call, drive back up, then drive back down again for trial. She also wishes to attend, if possible.
6. Undersigned counsel, Matthias Hayashi, respectfully submits that it would be more logistically feasible for him to be allowed to appear remotely as well, as well as counsel for Defendant if they wish, rather than for the parties to have to expend additional time and resources on their attorneys attending in person.
7. The parties have conferred and have agreed that a remote appearance would be the best means of allowing Ms. Smith to appear at the December 12, 2023, calendar call.
8. Pursuant to S.D. Fla. L. R. 7.1(a)(3), counsel for Plaintiff certifies that counsel for Plaintiff has conferred with counsel for Defendant regarding this motion and represents that the Defendant objects to the relief herein requested except it does not object to Ms. Smith appearing remotely.

WHEREFORE, Plaintiff, CHARLOTTE SMITH, respectfully requests entry of an order allowing counsel to attend the December 12, 2023, discovery hearing by telephone, zoom, or any other remote means the Court deems suitable.

Respectfully submitted,

/s/ Matthias Hayashi

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**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on December 12, 2023, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing is being served upon all counsel of record or pro se parties via transmissions of Notices of Electronic Filing generated by CM/ECF, or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

/s/ Matthias Hayashi  
**Matthias Hayashi, Esq.**